

ENTERED

February 14, 2024

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:**SMILEDIRECTCLUB, INC., *et al.*****Debtors.**

§ **Chapter 7**
 § **(Previously Chapter 11)**
 § **Case No. 23-90786 (CML)**
 § **(Jointly Administered)**
 §

ORDER ESTABLISHING BAR DATE FOR CHAPTER 11 ADMINISTRATIVE EXPENSE CLAIMS AND PROFESSIONAL FEES

(Docket No. 650)

Upon the Trustee's motion (the "Motion")¹ for entry of an order establishing bar dates for chapter 11 administrative claims and professional fees; and this Court having jurisdiction over this matter pursuant to 28 U.S.C. § 1334; and this Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b); and that this Court may enter a final order consistent with Article III of the United States Constitution; and this Court having found that venue of this proceeding and the Motion in this district is proper pursuant to 28 U.S.C. § 1408; and this Court having found that the relief requested in the Motion is in the best interests of the Debtors' estates, their creditors, and other parties in interest; and this Court having found that the Debtors' notice of the Motion and the opportunity for a hearing on the Motion were appropriate and no further notice need be provided; and this Court having reviewed the Motion and having heard the statements in support of the relief requested therein at a hearing before this Court, if any; and this Court having determined that the legal and factual bases set forth in the Motion and at the hearing, if any, establish just cause for the relief granted herein; and upon all of the proceedings had before this

¹ All capitalized terms not defined in this Order shall have the meaning given to them in the Motion.

Court; and after due deliberation and sufficient cause appearing therefor, it is HEREBY ORDERED THAT:

1. **March 15, 2024** (the “Professional Fees Bar Date”) is the deadline for professionals retained by the Debtors or the Committee under sections 327, 328, or 1103(a) of the Bankruptcy Code or pursuant to the OCP Order to file motions seeking approval of professional fees permitted under the DIP Carve Out alleged to have been incurred during the time period between the petition date (September 29, 2023) and the date this case was converted to chapter 7 (January 26, 2024) (the “Professional Fees”).

2. **May 15, 2024** (the “Professional Fees Objection Deadline”) is the deadline by which the Trustee or any other party in interest must object to Professional Fee Claims, which Professional Fees Objection Deadline may be subject to extension by approval of this Court.

3. The Professional Fees Objection Deadline shall apply to all applications for Professional Fee Claims regardless of when such applications were filed, including those filed prior to entry of this Order.

4. **March 15, 2024** (the “Administrative Claim Bar Date”) is the deadline for any party-in-interest to file an application seeking approval of an administrative expense pursuant to 11 U.S.C. § 503(b) for any amounts alleged to have been incurred during the time period between the petition date (September 29, 2023) and the date this case was converted to chapter 7 (January 26, 2024).

5. The deadline for the Trustee or any other party in interest to file an objection to any application for Administrative Claim shall be tolled pending further order of this Court, including for all applications for Administrative Claims filed prior to entry of this Order.

6. Any holder of an Administrative Expense Claim or Professional Fees Claim who fails to file an application for approval of such claim with the Court by the applicable bar date shall be barred, estopped, and enjoined from asserting such claim.

7. Notwithstanding any contrary provision of this order, no governmental unit shall be required to file a request for the payment of an expense described in 11 U.S.C. 503(b)(1)(B) or (C) as a condition of its being an allowed administrative expense.

8. The Trustee shall serve this Order on all known creditors and parties in interest who may assert Professional Fees Claims or Administrative Claims.

Signed: February 14, 2024


Christopher Lopez
United States Bankruptcy Judge